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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,792	11/18/2003	Yulun Wang	157438-0015	6134
1622	7590	09/28/2005	EXAMINER	
IRELL & MANELLA LLP 840 NEWPORT CENTER DRIVE SUITE 400 NEWPORT BEACH, CA 92660			SAN MARTIN, EDGARDO	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EF

Office Action Summary	Application No. 10/716,792	Applicant(s) WANG ET AL.	
	Examiner Edgardo San Martin	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 – 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paulos et al. (NPL Document titled Designing Personal Tele-embodiment) in view of Pin et al. (US 5,374,879), and further in view of Skaar et al. (US 6,304,050).

With respect to claims 1, 9, 17, 21, 29 and 37, Paulos et al. teach a robot, comprising a mobile platform; a camera coupled to the mobile platform, an arm coupled to the mobile platform; and a first effector coupled to the arm, but fail to disclose wherein the platform is holonomic and wherein the effector is a grasper (Figs.1 and 2; Sections 1 – 4).

Nevertheless, Pin et al. teach a holonomic platform used with a robot (Fig.3; Col.1, Lines 14 – 22 and Col.2, Lines 9 – 34).

On the other hand, Skaar et al. teach the use of grasper in a robotic system employing cameras for monitoring the robot actions (Fig.1; Col.59 – Col.5, Line 63).

It would have been obvious to a person with ordinary skill in the art at the time of the invention was made to employ the Pin et al. holonomic platform and the Skaar et al. grasper with the Paulos design because the holonomic platform would provide an omnidirectional platform having decoupled rotational and translational degrees of freedom,

and the monitored grasper could perform specific grasping actions that could be visually controlled by a remote user, improving the mobility and performance of the robot.

With respect to claims 2 – 8, 10 – 16, 19 and 20, the Examiner considers that Paulos et al. teach the limitations described in the claims (Figs.1 and 2; Section 4).

With respect to claim 18, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex Parte Masham*, 2 USPQ F.2d 1647 (1987).

With respect to claims 21, 29 and 37, Paulos et al. teach a robot system comprising a broadband network; a remote station coupled to the broadband network, the remote station having a handle that can be manipulated to generate movement signals that are transmitted through the broadband network; a robot that is coupled to the broadband network and receives the movement signals from the handle of the remote station (Sections 1 – 3).

With respect to claims 22 – 28, 30 – 36, 39 and 40, the Examiner considers that Paulos et al. teach the limitations described in the claims (Figs.1 and 2; Section 4).

With respect to claim 38, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex Parte Masham*, 2 USPQ F.2d 1647 (1987).

Response to Arguments

2. Applicant's arguments filed on July 25, 2005 have been fully considered but they are not persuasive. The Examiner has withdrawn the objections under 37 CFR 1.75 to claims 9 – 16 and 29 – 36. With respect to the combination of a mobile platform, camera and grasper, the Examiner has employed the patent to Skaar et al. to perfection the Official Notice taken in the previous Office Action. The Examiner considers that the patent to Skaar et al. clearly teach the use of a grasper with cameras, as discussed above, which disclose the function of moving objects with a robot while allowing a user to view the object being moved. Furthermore, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Regarding claims 37 – 40, the Examiner considers that the obvious combination of Paulos et al., Pin et al., and Skaar et al. teach the structural limitations of the claims, the Examiner further considers that if the prior art disclose elements that enable the device/system to perform an action described by the claimed subject matter, it is inherent that the prior art combination is able of performing a specific function/action that comprises or could be described as method steps.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

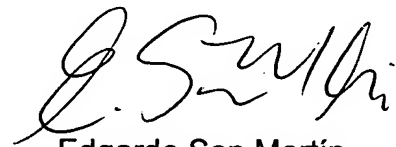
Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgardo San Martin whose telephone number is (571)272-2074. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2837

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Edgardo San Martín
Primary Examiner
Art Unit 2837
Class 318
September 22, 2005